

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MARSHA M. HARRIS,**

**Plaintiff,**

**v.**

**Case No.: 2:18-cv-288  
JUDGE GEORGE C. SMITH  
Magistrate Judge Jolson**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

**ORDER**

This case is before the Court to consider the *Report and Recommendation* issued by the Magistrate Judge on December 4, 2018. The Magistrate Judge recommended that Plaintiff's Statement of Errors be overruled and the decision of the Commissioner of Social Security be affirmed. (See *Report and Recommendation*, Doc. 13). This matter is now before the Court on Plaintiff's Objections to the Magistrate Judge's *Report and Recommendation*. (Doc. 14). The Court will consider the matter *de novo*. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff raises one main objection to the ALJ and Magistrate Judge's findings: that the ALJ failed to account for all of the limitations opined by the State agency psychologists. Specifically, Plaintiff argues that the ALJ failed to explain how she reached her conclusions and the Magistrate Judge attempted to connect the dots that ALJ failed to, by explaining how each state agency opinion limitation was accounted for by the limitations included in the mental residual functional capacity ("RFC").

Plaintiff's objection presents the same issue already presented to, and carefully considered by, the Magistrate Judge in the *Report and Recommendation*. Plaintiff has not presented any new evidence or argument other than what was previously presented in his Statement of Errors. Plaintiff merely disagrees with the ALJ and Magistrate Judge's conclusions, specifically with respect to weight of the opinions of the state agency psychologists. As the Magistrate Judge correctly recognized, "ALJs are not bound by findings made by State agency or other program physicians and psychologists, but they may not ignore these opinions and must explain the weight given to the opinions in their decisions." (Doc. 13 at 11, citing SSR 96-6P, 1996 WL 374180, at \*2 (S.S.A. July 2, 1996). The Court agrees with the Magistrate Judge's conclusions regarding the ALJ's RFC assessment. The ALJ provided sufficient reasoning for her RFC assessment.

The Court has carefully considered Plaintiff's objection, but finds that the decision of the ALJ was supported by substantial evidence as acknowledged in detail in the Magistrate Judge's *Report and Recommendation*. Therefore, for the reasons stated in the well-reasoned *Report and Recommendation*, this Court finds that Plaintiff's objection is without merit.

Based on the aforementioned and the detailed *Report and Recommendation*, the Court finds that Plaintiff's objection has been thoroughly considered and is hereby **OVERRULED**. Accordingly, the *Report and Recommendation*, Document 13, is **ADOPTED** and **AFFIRMED**. Plaintiff's Statement of Errors is hereby **OVERRULED**, and the decision of the Commissioner of Social Security is **AFFIRMED**.

The Clerk shall remove Documents 13 and 14 from the Court's pending motions list, and enter final judgment in favor of Defendant, the Commissioner of Social Security.

**IT IS SO ORDERED.**

/s/ George C. Smith  
**GEORGE C. SMITH, JUDGE**  
**UNITED STATES DISTRICT COURT**